



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
ASSAM LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 7th March, 2025

No. LLE/PMB/05/2025/132.- The following Private Members' Bills were introduced in the House on 7th March, 2025 along with the Statement of Objects and Reasons are to be published under Rule 71 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly for General Information.

**THE ASSAM EDUCATION (PROVINCIALISATION OF SERVICES OF
TEACHERS AND RE-ORGANISATION OF EDUCATIONAL INSTITUTIONS)
AMENDMENT BILL, 2025**

**A
BILL**

*to amend the Assam Education (Provincialisation of Services of Teachers and
Re-Organisation of Educational Institutions) Act, 2017.*

BE it enacted by the Legislature of the State of Assam in the Seventy-sixth Year of the Republic of India as follows:-

- | | |
|---------------------------------------|---|
| Short title, extent and commencement. | <p>1. (1) This Act may be called the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025.</p> <p>(2) It extends to the whole of the State of Assam.</p> <p>(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.</p> |
| Amendment of section 2. | <p>2. In section 2 of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Act, 2017 (hereinafter referred to as the principal Act), -</p> <p>(i) in clause (d), for the words “for the year 2009-2010 or before”, the words “on or before the coming into force of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025” shall be substituted;</p> <p>(ii) in clause (j), for the words “1st day of January, 2011”, the words “5th day of September, 2011” shall be substituted;</p> <p>(iii) in clause (w), for the numbers “01.01.2006”, at both the places, the numbers “05.09.2011” shall be substituted;</p> <p>(iv) in clause (x), for the numbers “01.01.2006”, at both the places, the numbers “05.09.2011” shall be substituted;</p> <p>(v) in clause (y), for the numbers “01.01.2006”, at both the places, the numbers “05.09.2011” shall be substituted;</p> <p>(vi) in clause (z), for the numbers “01.01.2006” and “01.01.06”, the numbers “05.09.2011” shall be substituted;</p> <p>(vii) in clause (za), -</p> <p>(a) for the numbers “1.1.2006” and “01.01.2006”, the numbers “05.09.2011” shall be substituted;</p> <p>(b) for the words “2009-10”, the words “on or before the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025” shall be substituted; and</p> |

(c) in the proviso, for the words “on or before 2009-10”, the words “on or before the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025” shall be substituted;

(viii) in clause (zb), -

(a) for the words “prior to 1.1.2006 whose name figure in the DISE code up to 2009-10 and prior to that”, the words “prior to 05.09.2011 whose name figure in the DISE code on or before the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025” shall be substituted;

(b) for the proviso, the following proviso shall be substituted, namely:-

“Provided that the DISE code issued within three years from the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025 shall be considered for the purpose of provincialisation of services of any employee of the institution;”;

(ix) in clause (zc), -

(a) for the numbers “01.01.2006”, the numbers “05.09.2011” shall be substituted;

(b) for the words “before 01.01.2006 and captured in the DISE code up to 2009-10”, the words “before 05.09.2011 and captured in the DISE code on or before the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025” shall be substituted.

Amendment of
section 3.

3. In section 3 of the principal Act, -

(A) in sub-section (1),-

(a) in clause (i), -

(i) for the words “concurrence, as the case may be up to the last and higher class required”, the words “concurrence or any one of them” shall be substituted;

(ii) for the numbers “1.1.2006”, the numbers “05.09.2011” shall be substituted; and

(iii) the proviso shall be omitted;

(b) in clause (iii), for the numbers “01.01.2006” at all the three places, the numbers “05.09.2009” shall be substituted;

(c) in clause (iv), for the words “30 students”, the words “20 students” shall be substituted;

(d) in clause (v), for the words “25 students” at both the places and the words “30 students”, the words “20 students” shall be substituted;

(e) in clause (vi), for the words “at least 30%”, the words “at least 20%” shall be substituted;

(f) in clause (vii), for the words “10 students” and the words “15 students”, the words “5 students” shall be substituted;

(g) in clause (ix), for the words “exceeds eighty” and the words “exceeds 150”, the words “exceeds forty” and the words “exceeds 80”, respectively, shall be substituted;

(h) in clause (x), for the words “Two numbers of teachers and/or tutors”, the words “One teacher and/or tutor per class” shall be substituted;

(i) in clause (xi), for the words “three teachers or tutors at least one teacher each”, the words “one head Master, four assistant teachers and one teacher each” shall be substituted;

(j) in clause (xii),

(i) for the words “2009-10 or before”, the words “on or before the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025” shall be substituted;

(ii) the following proviso shall be added at the end, namely:-

“Provided that the DISE code captured within three years from the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025 shall also be considered as valid DISE code for all purposed”;

(B) in sub-section (2), the following proviso shall be added at the end, namely:-

“Provided that the teachers or tutors who do not possess the minimum qualifications laid down at the time of provincialisation shall be permitted to acquire such minimum qualifications within a period of five years from the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025”;

(C) in sub-section (3), for the words “having DISE Code for the year 2009-2010 or prior to that”, the words “having DISE Code on or before the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025”;

(D) in sub-section (4), the following proviso shall be added at the end, namely:-

“Provided that such Private Institution or Non-Government Educational Institution shall be given reasonable financial assistance by the State Government”;

(E) in sub-section (6), -

(a) in clause (a), for the words “3 Kms”, “5 Kms” and “7 Kms” occurring in sub-clauses (ii), (iii) and (iv), respectively, the words “2 Kms”, “3 Kms” and “5 Kms”, respectively, shall be substituted; and

(b) after clause (a), the following proviso shall be added at the end, namely:-

“Provided that for remote and inaccessible hill and *char* areas, the State Government may prescribe different need based specified area and norms and standards.;

(F) in sub-section (10), for the words “one year”, the words “three years” shall be substituted.

4. In section 4 of the principal Act, -

(A) in sub-section (1), for the words “shall be deemed to have been provisionialised”, the words “shall be deemed to have been provisionialised retrospectively from the date of joining service in the institution” shall be substituted;

(B) in sub-section (2),-

(a) in clause (i), for the words “that have been fully recognized up to the last and highest class required for such Institution by the competent authority on or before 01.01.2006”, the words “that have reports of inspection or permission or recognition or concurrence or affiliation by the competent authority on or before 05.09.2011” shall be substituted;

(b) in clause (ii), the following proviso shall be added at the end, namely:-

“Provided that the teachers or tutors who do not possess the minimum qualifications laid down at the time of provincialisation shall be permitted to acquire such minimum qualifications within a period of five years from the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025.”;

(c) for clause (iii), the following clause shall be substituted, namely :-

“(iii) must have rendered at least six years of continuous service on the coming into force of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025 from the date of joining in the concerned Venture Educational Institution which must be on 05.09.2011 or prior to that date.”; and

(d) in clause (iv), for the words “10 students”, the words “5 students” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The teaching employees who are appointed by the management authority of the venture educational institutions having inspection report or permission or concurrence or recognition or affiliation from the competent authority on or before 5th September, 2011 should also be considered for provincialisation provided such institutions have captured DISE code on or before the commencement of this Act.

Hence this Bill.

ABDUR RASHID MANDAL,
MLA,

DULAL PEGU,
Secretary,
Assam Legislative Assembly.

FINANCIAL MEMORANDUM

The Bill is to provide for provincialisation of venture educational institutions established prior to 5th September, 2011 instead of 1st January, 2006 as provided at present under the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Act, 2017.

The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of the State of Assam. Since exact details of the number of venture educational institutions that will be provincialised by the Government are not known, it is not possible at this stage to give the estimate of recurring and non-recurring expenditure which will be involve from the Consolidated Fund of the State of Assam.

MEMORANDUM OF DELEGATED LEGISLATION

The Bill does not provide to delegate Legislative Power to the Executive.

ABDUR RASHID MANDAL,
MLA,
Assam Legislative Assembly.

THE ASSAM REGISTRATION AND REHABILITATION OF PEOPLE AFFECTED BY RIVER EROSION)

BILL, 2025

A

BILL

to identify and rehabilitate people affected by river erosion.

Whereas it is expedient to- (i) identify, register and verify the present status of people who have been rendered homeless/landless due to the erosion of mighty river Brahmaputra and its tributaries; (ii) frame and implement a policy for their rehabilitation to avoid encroachment of Government land; and (iii) to maintain law and order situation.

BE it enacted by the Legislature of the State of Assam in the Seventy-sixth year of the Republic of India as follows:-

Short title, extent and commencement.

1. (1) This Act may be called the Assam (Registration and Rehabilitation of People Affected by River Erosion) Act, 2025.

(2) It extends to the whole of the State of Assam.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless the context otherwise requires,-

(a) "people affected by erosion" means the people who have become landless or homeless due to erosion of river;

(b) "registration" means the list of people affected by erosion prepared and maintained by the concerned Circle Officer;

(c) "rehabilitation" means provision of land/house to the people affected by erosion;

(d) "State Government" means the Government of the State of Assam.

Process of Registration.

3. (1) The State Government shall collect data from all the Revenue Circles to find out the number of people affected by erosion and register their names along with names of family members in each Revenue Circle.

(2) All the Circle Officers shall prepare and maintain a register of people affected by erosion within six months from the date of commencement of this Act.

(3) People affected by erosion shall apply with necessary documents to the Circle Officer for registration.

(4) **The State Government shall give wide publicity through leading News Papers, TV Channels, Public Notice declaring the time frame to apply for registration of people affected by erosion.**

(5) Lat Mandal and Gram-Pradhan shall identify the people affected by erosion before registration.

Rehabilitation and compensation.

4. (1) The State Government shall issue Erosion Affected Certificate to the people.

(2) **The State Government shall provide to people affected by erosion one bigha land for making house and six bigha land for cultivation.**

(3) People affected by erosion shall be given preference while the land of *char* area is allotted.

(4) The State Government shall fix a quota not less than three percent in Grade-III and Grade-IV posts and in all higher educational institutions for people affected by erosion.

(5) People affected by erosion shall be given priority in State Government Schemes like Orunodoi.

STATEMENT OF OBJECTS AND REASONS

Erosion of mighty river Brahmaputra and its tributaries has become the worst problem for the State of Assam. More than three thousand villages have been destroyed in the last fifty years causing lakhs of people to be rendered homeless and landless. Landlords of a time have now become poor without shelter, who often use to encroach Government lands to live in. The Government has to evict the people from Government land time to time which often creates law and order situation. This is the most burning question for the State of Assam at present and this is the need of time to resolve the problem permanently.

Hence this Bill.

AMINUL ISLAM (Senior),
MLA,
Assam Legislative Assembly.

DULAL PEGU,
Secretary,
Assam Legislative Assembly.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides that the Government shall give wide publicity through leading news papers, TV channels, public notice declaring the time frame to apply for registration of people affected by erosion. Clause 4 provides that the State Government shall provide to people affected by erosion one bigha land for making house and six bigha land for cultivation.

The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of the State of Assam. At this stage, it is not possible to give the estimate of recurring/non recurring expenditure that would be involved out of the Consolidated Fund of the State of Assam, if the Bill is enacted and brought into operation.

MEMORANDUM REGARDING DELIGATED REGISTRATION

The Bill does not provide to delegate Legislative Power to the Executive.

AMINUL ISLAM (Senior),
MLA,
Assam Legislative Assembly.

**THE ASSAM UNIVERSITIES AND BOARDS (REGULAR CONDUCT OF
EXAMINATIONS AND TIMELY DECLARATION OF RESULTS)
BILL, 2025**

**A
BILL**

to provide for regular conduct of back and betterment examinations every three months and timely declaration of examination results by the Universities and the educational Boards in the State of Assam to alleviate the excessive academic burden on students and ensure smoother transitions to higher education and admission into other institutions without delay.

BE it enacted by the Legislature of the State of Assam in the Seventy-sixth Year of the Republic of India as follows: –

Short, title,
extent and
commencement.

1. (1) This Act may be called the Assam Universities and Boards (Regular Conduct of Examinations and Timely Declaration of Results) Act, 2025
- (2) It extends to the whole of the State of Assam.
- (3) It shall come into force on such date as the State Government may, by notification in the Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires: –
 - (a) “Back Examination” means re-examination conducted by the University or the Board for students who fail to clear one or more papers in their semester or annual examination;
 - (b) “Betterment Examination” means an examination conducted by the University or the Board to allow students to improve their scores in the previously cleared papers;
 - (c) “Board” includes educational Board responsible for secondary and higher secondary education in the State of Assam but does not include a Board established by the Central Government;
 - (d) “prescribed” means prescribed by rules made under this Act;
 - (e) “State Government” means the Government of the State of Assam; and
 - (f) “University” includes a University established by an Act of the Legislature of Assam but does not include a Central University.

Conduct of examinations every three months.

3. (1) Every University and the Board shall conduct Back Examinations and Betterment Examinations every three months.
(2) The schedule of the Back Examinations and Betterment Examinations shall be announced and published at least one month in advance.

Timely declaration of examination results.

4. Every University and the Board shall declare the results of semester and annual examinations including the Back Examinations and the Betterment Examinations within thirty days of the completion of the examinations.

Timely availability of certificates, degrees and mark sheets.

5. (1) Every University and the Board shall make available the certificates or the degrees and the mark sheets to the students within ten days from the date of declaration of result.
(2) Whoever found responsible for causing delay in making available the certificates or the degrees and the mark sheets to the students shall be subject to such penalties and disciplinary action, as may be prescribed.

Compliance with the provisions of the Act.

6. (1) The Controller of Examination of the University or the Board shall be responsible for ensuring compliance with the provisions of this Act.
(2) Whoever found responsible for non-compliance with the provisions of this Act shall be subject to such penalties and disciplinary action, as may be prescribed.

Power to make rules.

7. (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.
(2) Without prejudice to the generality of the forgoing provision, such rules may provide for-
(i) manner of conduct of examinations;
(ii) manner of declaration of results; and
(iii) manner of disbursement of certificates, degrees and mark sheets.
(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Assam Legislative Assembly.

Statement of Objects and Reasons

This Bill aims to address the recurring issues faced by students due to delay in the conduct of back examinations and declaration of results. Students often face difficulties in securing admissions to other universities due to delayed results. Additionally, conducting back and betterment examinations only once a year places an excessive study load on students. By mandating the regular conduct of improvement examinations and timely publication of results, this Bill seeks to reduce academic stress and enhance educational outcomes for students across Assam.

Hence this Bill.

ASHRAFUL HUSSAIN,
Member of Assam Legislative Assembly.

DULAL PEGU,
Secretary,
Assam Legislative Assembly.

FINANCIAL MEMORANDUM

This Bill does not entail any expenditure from the Consolidate Fund of the State once it comes into force.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 of the Bill empowers the State Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

ASHRAFUL HUSSAIN,
Member of Assam Legislative Assembly.

THE ASSAM TEACHERS (EQUITABLE TRANSFER AND POSTING POLICY) BILL, 2025

A

BILL

to establish an equitable, transparent and efficient teacher transfer policy in Assam aimed at ensuring adequate deployment of teachers in remote and underserved areas such as chars (river Islands), riverine areas, hills and tea gardens; address the issues of high pupil-teacher ratio and unwillingness of teachers to serve in such areas and for matters connected therewith.

BE it enacted by the Legislature of the State of Assam in the Seventy-sixth Year of the Republic of India as follows: –

Short title, extent and commencement.

1. (1) This Act may be called the Assam Teachers (Equitable Transfer and Posting Policy) Act, 2025.
- (2) It extends to the whole of the State of Assam.
- (3) It shall come into force on such date as the State Government may, by notification in the Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires: –
 - (a) “Committee” means the block level committee constituted under section 4;
 - (b) “District Authority” means the District Education Officer or any other officer designated by the State Government;
 - (c) “non-remote area school” means a school not categorised as remote area school by the Committee under section 5;
 - (d) “PTR” means the Pupil-Teacher ratio as per norms prescribed in the Schedule to the Right of Children to Free and Compulsory Education Act, 2009;
 - (e) “prescribed” means prescribed by rules made under this Act;
 - (f) “remote area school” means a school situated in *Char* (river Island), riverine area, hilly region or tea garden area and categorised as such by the Committee under section 5; and
 - (g) “State Government” means the Government of the State of Assam.

*Central Act
No.35 of
2009*

Implementation of the policy.

3. (1) The State Government shall, within six months of the coming into force of this Act, frame and implement a policy aimed at –
 - (i) **ensuring equitable distribution of teachers across the State of Assam;**
 - (ii) improving the PTR in underserved schools; and

- (iii) institutionalising mechanism for regular assessment of issues faced by schools in remote areas.
- Constitution of the Committee.** 4. (1) The State Government shall constitute in every education block in every district a Committee to be Known as the “(here name of the Education Block) Education Block Committee.
- (2) The Committee shall consist of –
- (i) local MLA- Advisor;
 - (ii) a prominent educationist from the concerned block-Chair person;**
 - (iii) Block Education Officer- Member Secretary
 - (iv) two senior head teachers to be nominated by the district authority-Members;
 - (v) one local representative from the Panchayati Raj Institution-Member; and
 - (vi) a representative from the district administration-Member.
- Secretarial staff.** 5. The Committee shall be provided with such secretarial staff as may be necessary for its efficient functioning.
- Meetings of the Committee.** 6. The Committee shall conduct its meetings and deliberations from such office in the Education Block as may be allotted by the Directorate of Elementary/ Secondary Education.
- Functions of the Committee.** 7. (1) Without prejudice to the generality of provisions of section 3, the Committee shall perform the following functions: –
- (i) identify and categorise schools into remote areas and non-remote areas on the basis of geographical, infrastructural, assessability and such other criteria as the Committee may deem appropriate;
 - (ii) analyse the PTR of all schools within the education block and recommend transfers from or postings in schools on the basis of PTR analysis so as to ensure balanced deployment of teachers; and
 - (iii) examine school level issues including staff shortage, infrastructure challenges and teachers’ performance.
- (2) The Committee shall prepare a quarterly report on its findings and the issues examined by it for submission to the District Authority.
- Role of District Authority** 8. (1) The District Authority on receipt of a quarterly report from the Committee shall resolve the reported issues.

- (2) Where the District Authority is not in a position to resolve the reported issue, it shall escalate the unresolved issue to the Directorate of Elementary/Secondary Education.
- (3) The Directorate of Elementary/Secondary Education shall also resolve matters related to inter-district transfers to maintain the PTR.
- Mandatory posting in remote area.**
9. The Directorate of Elementary/Secondary Education shall ensure that all teachers mandatorily serves in remote area schools for at least three years during their service tenure:
- Provided that teachers superannuating within three years may be exempted from posting in remote area schools.
10. Every teacher posted in remote area school, after completion of period of mandatory posting in remote area school, shall be entitled to the following benefits, namely: –
- (i) preference in promotion and professional development opportunities;
- (ii) priority for posting in served areas or urban posting.
- Appeal.**
11. (1) A teacher may file an appeal against the order of transfer or posting in a remote area school with the District Authority.
- (2) The District Authority shall dispose of the appeal within fifteen days of the receipt of the appeal.
- (3) A teacher may file a revision appeal against the decision of the District Authority to the Directorate of Elementary/Secondary Education within one week of decision by the District Authority.
- Digital platform.**
12. (1) **The State Government shall establish a digital platform displaying data on teacher deployment and PTR for all schools to ensure easy public accessibility of such data and transparency in transfers and postings.**
- (2) The data shall be maintained and regularly updated on the platform by such authority of the State Government, as may be prescribed.
- Disciplinary action**
13. (1) Any teacher who fails to join remote posting shall be liable to withholding of increments, promotions and other benefits for such duration and in such manner, as may be prescribed.
- (2) Any officer of the District Authority or the Directorate of Elementary/Secondary Education, who intentionally delays the resolution of the matters reported by the Committee in its quarterly report or keeps such matters unduly unresolved shall be subject to such departmental disciplinary action, as may be prescribed.

Report

14. (1) The Directorate of Elementary/Secondary Education shall prepare every year a report on the implementation of this Act and containing such other information or recommendations, as are necessary for efficient implementation of this Act in such form and manner, as may be prescribed and copies of the report shall be forwarded to the State Government.
- (2) The State Government on receipt of the report under subsection (1) shall cause the report, as soon as may be, to be laid before the Assam Legislative Assembly.

Power to make Rule

15. (1) The State Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.
- (2) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Assam Legislative Assembly.

Statement of Objects and Reasons

This Bill seeks to address the long-standing issues of teacher shortages, high PTR and inequitable deployment of teachers and reluctance to serve in remote and underserved areas of Assam. It establishes mechanisms for identifying challenges, ensures equitable transfers and provides incentives to encourage service in difficult areas.

ASHRAFUL HUSSAIN,
Member,
Assam Legislative Assembly.

DULAL PEGU,
Secretary,
Assam Legislative Assembly.

FINANCIAL MEMORANDUM

Clause 3 of the Bill seeks to ensure equitable distribution of teachers across the State. **Clause 4** seeks to make a prominent educationist from the concerned block as Chairperson of the Committee. The provision will require appointment of more teachers and administrative expenditure for functioning of the committee. **Clause 12** proposes to establish a digital platform displaying data on teacher deployment and PTR for all schools to ensure easy public accessibility of such data and transparency in transfers and posting.

The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of the State of Assam. At this stage, it is not possible to give the estimate of recurring/non recurring expenditure that would be involved out of the Consolidated Fund of the State of Assam, if the Bill is enacted and brought into operation.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 15 of the Bill empowers the State Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

DULAL PEGU,
Secretary,
Assam Legislative Assembly.